

HOUSE BILL NO. 362

INTRODUCED BY M. CAMPBELL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LICENSING OF DENTISTS; PROVIDING A DEADLINE FOR THE BOARD OF DENTISTRY'S REVIEW OF EXAMINATION RESULTS AND DOCUMENTATION; PROVIDING CONDITIONS FOR LICENSING BY RECIPROCITY; AMENDING SECTION 37-4-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-4-301, MCA, is amended to read:

"37-4-301. Examination -- qualifications -- fees -- ~~certification~~ reciprocity -- rules. (1) Applicants for licensure shall take and pass an examination in order to be licensed. The examination must consist of a written part and a practical or clinical part. It may also include, at the board's discretion, an oral interview with the board, which may include questions pertaining to the practice of dentistry. The board may accept, in satisfaction of the written part, successful completion of an examination by the national board of dental examiners and, whenever the board determines necessary, successful completion of a board examination in jurisprudence to be administered at times and places approved by the board. The board may accept, in satisfaction of the practical part, successful completion of an examination by a board-designated regional testing service.

(2) Acceptance by the board of a written and practical examination must be conditioned on evidence that the examination is sufficiently thorough to test the fitness of the applicant to practice dentistry. The examination must include, written in the English language, questions on anatomy, histology, physiology, chemistry, pharmacology and therapeutics, metallurgy, pathology, bacteriology, anesthesia, operative and surgical dentistry, prosthetic dentistry, prophylaxis, orthodontics, periodontics and endodontics, and any additional subjects pertaining to dental service.

(3) The board has the right to administer its own examination in lieu of acceptance of the national board written examination and a regional testing service practical examination. The board is authorized to make rules governing examination procedures.

(4) Applicants for licensure shall submit an application, which must include, when required:

1 (a) certification of successful completion of the national board written examination;

2 (b) certification of successful completion of a regional board practical examination;

3 (c) three affidavits of good moral character;

4 (d) certificate of graduation from a board-approved dental school;

5 (e) an examination fee commensurate with costs and set by the board;

6 (f) an application fee commensurate with costs and set by the board;

7 (g) a recent photograph of the applicant; and

8 (h) copies of all other state licenses that are held by the applicant.

9 (5) Applicants may not take the jurisprudence examination or the oral interview without first having
10 completed and passed all other parts of the examination.

11 (6) (a) Examination results will be accepted for a period of time as set by board rule. An applicant failing
12 to pass the first examination, if otherwise qualified, may take a subsequent examination upon payment of a fee
13 commensurate with costs and set by the board.

14 (b) The board shall notify an applicant after receipt of each examination result. An application must be
15 acted on within 60 days of receiving the last examination results and all supporting documentation.

16 (7) (a) Subject to criteria provided in subsection (7)(b), the board may authorize the department to issue
17 a license by reciprocity without additional examination to a person with a valid, unsuspended, and unrevoked
18 license issued to the applicant on the basis of an examining board under the laws of another state or territory
19 of the United States or of the District of Columbia or of a foreign country if:

20 (i) in the judgment of the board, the licensing standards of the other state or territory, the District of
21 Columbia, or the foreign country at the time that the license or certificate was issued were essentially equivalent
22 to those of this state for granting a license to practice dentistry;

23 (ii) under the scope of the license or certificate, the applicant was authorized to practice dentistry in the
24 other state, territory, or country or the District of Columbia; and

25 (iii) the applicant agrees to work in a federally designated health professional shortage area, as provided
26 in 42 U.S.C. 254(e), for 1,000 hours prior to the license being renewed.

27 (b) An applicant for licensing by reciprocity:

28 (i) must be in good standing in all jurisdictions where the applicant is licensed or has held a license;

29 (ii) must, if employed by the federal government, be in good standing with the federal agency that
30 employs or employed the applicant;

(iii) shall provide three letters of recommendation from clinical directors or medical or dental practitioners who worked with, provided oversight of, or otherwise could attest to the competency of the applicant in clinical, direct practice care dentistry; and

(iv) must have worked for 5,000 hours in clinical, direct practice care dentistry within 2 1/2 years to 5 years of applying for a license.

(c) An applicant under this subsection (7) may authorize, in writing, the board to request from any other jurisdiction information about disciplinary findings concerning the applicant in that jurisdiction.

~~(7)~~(8) The board is authorized to adopt necessary and reasonable rules governing application procedures."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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